

Senate Transportation and Safety Committee 1

Amendment No. 1 to SB0023

**Tracy
Signature of Sponsor**

AMEND Senate Bill No. 23*

House Bill No. 1029

By deleting all language after the caption and by substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Concerned Motorcyclists of Tennessee/American Bikers Active Towards Education;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a Concerned Motorcyclists of Tennessee/American Bikers Active Towards Education new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall contain the official Concerned Motorcyclists of Tennessee/American Bikers Active Towards Education, Inc. ("C.M.T./A.B.A.T.E.") logo "dyin 2b seen" or other appropriate design representative of C.M.T./A.B.A.T.E. and shall be designed in consultation with C.M.T./A.B.A.T.E..

(c) The funds produced from the sale of the Concerned Motorcyclists of Tennessee/American Bikers Towards Education new specialty earmarked license plates shall be allocated to C.M.T./A.B.A.T.E., in accordance with § 55-4-215. The funds shall

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be used to assist motorcyclists involved in accidents caused by uninsured motorists with cost of living expenses while the motorcyclists are unable to work. The Board of Trustees of C.M.T./A.B.A.T.E., as appointed by the Board of Directors, shall administer the collection and disposition of the funds allocated pursuant to this section.

(d) Subject to the requirements of § 55-4-201, the commissioner is authorized and shall issue a license plate to an owner or lessee of a motorcycle who is otherwise eligible for a Concerned Motorcyclists of Tennessee/American Bikers Towards Education plate under this section; provided, however, that the owner or lessee shall comply with the state motor vehicle laws relating to registration and licensing of motorcycles and shall pay the regular fee applicable to motorcycles and the applicable fee specified in § 55-4-203 prior to the issuance of the plate. The motorcycle plates authorized by this subsection shall be substantially the same in design and configuration, allowing for variations due to size restrictions, as the regular motor vehicle registration plates authorized by § 55-4-202(c)(7), as applicable.

(e) For the purposes of § 55-4-201(h)(1), all license plates authorized or issued pursuant to subsections (a) and (d) shall be included jointly in any determinations for initial issuance and continuation of issuance.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Tech University;

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

55-4-____.

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Tennessee Tech University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official colors and Athletic Eagle Head logo of Tennessee Tech University and shall include language referencing the university's Centennial Celebration in an appropriate design. Such plates shall be designed in consultation with a representative from Tennessee Tech University's Creative Services division.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee Tech University Foundation in accordance with § 55-4-215 to be used to support initiatives that directly relate to the goals established by the Complete College Act of 2010.

SECTION 5. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Alpha Eta Rho International Aviation Fraternity;

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

55-4-____.

(a) An owner or lessee of a motor vehicle who is a resident of this state and who is certified as a member or alumni member of the Alpha Eta Rho International Aviation Fraternity, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Alpha Eta Rho International

Aviation Fraternity new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The application for these license plates shall be accompanied by proof satisfactory to the commissioner, certifying the applicant to be a member or alumni member of the fraternity pursuant to subsection (a).

(c) The new specialty earmarked license plates provided for in this section shall contain an appropriate logo or other design representative of the Alpha Eta Rho International Aviation Fraternity. The plates shall be designed in consultation with the Board of Directors of the Alpha Eta Rho Foundation.

(d) The funds produced from the sale of Alpha Eta Rho International Aviation Fraternity new specialty earmarked license plates shall be allocated to the Alpha Eta Rho Foundation pursuant to § 55-4-215, for distribution to the Tennessee chapters of the fraternity. The funds shall be used to further the fraternity's educational goals for the future of collegiate aviation in Tennessee, including supporting educational and scholarship programs.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Vanderbilt University Athletic Department;

SECTION 8. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

55-4-____.

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Vanderbilt University Athletic Department new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Vanderbilt University Board of Trust.

(c) The funds produced from the sale of Vanderbilt University Athletic Department new specialty earmarked license plates shall be allocated to the Vanderbilt University Board of Trust, in accordance with § 55-4-215, for distribution to the Vanderbilt University Athletic Department. The funds shall be used exclusively to fund scholarships for student athletes at Vanderbilt University.

SECTION 9. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Harpeth River Watershed Association;

SECTION 10. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a Harpeth River Watershed Association new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall be of an appropriate design representative of the Harpeth River Watershed Association. The plates shall be designed in consultation with the Harpeth River Watershed Association.

(c) The funds produced from the sale of the Harpeth River Watershed Association new specialty earmarked license plates shall be allocated to the Harpeth River Watershed Association, in accordance with § 55-4-215. The funds shall be used for restoring and protecting the ecological health of the Harpeth River and clean water in Tennessee.

(d) Notwithstanding § 55-4-201(h)(1), the Harpeth River Watershed Association new specialty earmarked license plates authorized by this section shall have two (2) years from the effective date of this act or until July 1, 2015, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

(e) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 11. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

55-4-2__.

(a) Notwithstanding any other law to the contrary, a surviving spouse of a recipient of the Congressional Medal of Honor, the Distinguished Service Cross, the Distinguished Flying Cross, the Air Medal, the Navy Cross, the Air Force Cross, the Silver Star, or the Bronze Star (Valor or Meritorious), upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, upon paying any applicable fees, and upon providing a copy of the death certificate of the medal recipient, shall be issued a distinctive license plate, as appropriate, pursuant to any provision of this part that authorizes the issuance of a distinctive license plate to a recipient of any military decoration described in this subsection (a), until the surviving spouse remarries.

(b) Any distinctive license plate that is issued free of charge pursuant to § 55-4-236 or any other provision of this part that authorizes the issuance of a distinctive license plate to a recipient of a military decoration described in subsection (a) shall be issued free of charge to a surviving spouse under this section. A surviving spouse shall pay the regular fee applicable to the vehicle and the fee provided for in § 55-4-203 prior to being issued a distinctive license plate pursuant to § 55-4-231.

(c) Evidence that the deceased spouse received a military decoration described in subsection (a) shall be required if the deceased spouse had not been issued a

distinctive license plate of the same type requested by the surviving spouse. Such evidence shall include a DD214 form, or in a case of military service predating 1950, in consultation with appropriate information on the equivalent form or on other official documentation, or a written communication from the department of veterans affairs; provided, that the form, documentation or communication certify that the application for the plate is submitted by a surviving spouse of a recipient of a military decoration described in subsection (a), as appropriate.

(d) Eligibility for a distinctive license plate pursuant to this section shall be determined by the department by consulting the copy of the death certificate and, if required to be provided, the evidence described in subsection (c).

SECTION 12. Tennessee Code Annotated, Section 55-4-237(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(a)

(1) The department shall provide and issue, free of charge, to each disabled veteran in this state, registration and license plates for any motor vehicle authorized by § 55-4-210(c) that is registered in the name of or leased by a disabled veteran, or by the disabled veteran and the spouse of the disabled veteran, including, but not limited to, a motor home containing life support equipment; provided, that the authorized motor vehicle or motor home shall not be used for rehire or for any other commercial purpose. The department shall provide and issue, free of charge, to each surviving spouse of a disabled veteran in this state, upon providing a copy of the death certificate of the deceased spouse disabled veteran, until the surviving spouse remarries, registration and license plates for any motor vehicle authorized by § 55-4-210(c) that is registered in the name of or leased by the surviving spouse, including, but not limited to, a motor home containing life support equipment; provided, that the authorized

motor vehicle or motor home shall not be used for rehire or for any other commercial purpose.

SECTION 13. Tennessee Code Annotated, Section 55-4-238(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) A distinctive license plate is authorized for any person who was a member of the Armed Forces of the United States and who was present at Pearl Harbor, Hawaii on December 7, 1941, if the person is currently a resident of Tennessee, is the owner of a motor vehicle or motor home that is registered for private use, and is otherwise qualified to register and license a motor vehicle pursuant to this title. For the purposes of this section, "private use" vehicle means any motor vehicle authorized by § 55-4-210(c) or motor home that is not used for rehire or for any other commercial purpose. A surviving spouse of such a deceased Pearl Harbor survivor, if the person is currently a resident of Tennessee, is the owner of a motor vehicle or motor home that is registered for private use, is otherwise qualified to register and license a motor vehicle pursuant to this title and presents a copy of the death certificate of the deceased spouse Pearl Harbor survivor, shall be issued a registration plate pursuant to this section, until the surviving spouse remarries.

SECTION 14. Tennessee Code Annotated, Section 55-4-253, is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following language:

(a) An owner or lessee of a motor vehicle who is a resident of this state and who is an honorably discharged veteran of the United States armed forces, or a civilian veteran of the United States army corps of engineers, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued an honorably discharged veteran registration plate for a motor vehicle authorized by § 55-4-210(c). A surviving spouse of such a deceased honorably discharged veteran,

upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, and upon providing a copy of the death certificate of the deceased honorably discharged veteran, shall be issued a registration plate pursuant to this section, until the surviving spouse remarries.

(b) All applications pursuant to this section shall be accompanied by orders or a statement of discharge from the appropriate branch of the United States armed forces classifying the applicant as an honorably discharged veteran, or by orders or official documentation from the United States army corps of engineers classifying the applicant as a civilian veteran; provided, that, notwithstanding any law to the contrary, an honorably discharged veteran of the United States armed forces or a surviving spouse of an honorably discharged veteran of the United States armed forces shall be required to submit the required documentation only when initially applying for registration plates under this section and subsequent registration plates under this section shall be issued to that person without the repeated presentation of the required documentation. This subsection (b) shall not apply in the case of an application by a surviving spouse in which the deceased honorably discharged veteran had been issued a license plate or license plates under this section.

SECTION 15. Tennessee Code Annotated, Section 55-4-292(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) A distinctive license plate is authorized for any woman who is a veteran, if the woman is currently a resident of this state and is otherwise qualified to register and license a motor vehicle pursuant to this title, and a distinctive license plate is authorized for any surviving spouse of such a deceased woman veteran, until the surviving spouse remarries, upon providing a copy of the death certificate of the deceased woman

veteran, if the surviving spouse is currently a resident of this state and is otherwise qualified to register and license a motor vehicle pursuant to this title.

SECTION 16. Tennessee Code Annotated, Section 55-4-292(d), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(d) For issuance of a license plate pursuant to this section, all applications shall contain information that the commissioner requires proving the eligibility of the applicant as a woman who received an honorable discharge as a member of the armed services, as defined in § 49-4-928, except that such information shall not be required in the case of an application by a surviving spouse in which the deceased woman veteran had been issued a license plate or license plates under this section.

SECTION 17. Tennessee Code Annotated, Section 55-4-318(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a "Handicapped Veteran" license plate for a motor vehicle authorized by § 55-4-210(c). A surviving spouse of such a deceased handicapped veteran, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, and upon providing a copy of the death certificate of the deceased spouse handicapped veteran, shall be issued a registration plate pursuant to this section, until the surviving spouse remarries.

SECTION 18. Tennessee Code Annotated, Section 55-4-329(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a)

(1) An owner or lessee of a motor vehicle who is a resident of this state, who is an honorably discharged veteran of the United States armed forces having served on a submarine in the line of military duty, and whose submarine service has been certified by the department of veterans affairs, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, shall be issued a submarine veteran license plate for a motor vehicle authorized by § 55-4-210(c). A surviving spouse of such a deceased submarine veteran, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, and upon providing a copy of the death certificate of the deceased submarine veteran, shall be issued a registration plate pursuant to this section, until the surviving spouse remarries.

(2) The application for such plate shall be accompanied by documentation from the appropriate branch of the United States armed forces, certified by the department of veterans affairs, verifying that the applicant served on a submarine in the line of military duty as a member of the United States armed forces, except that such information shall not be required in the case of an application by a surviving spouse in which the deceased submarine veteran had been issued a license plate or license plates under this section.

SECTION 19. Tennessee Code Annotated, Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Juvenile Diabetes Research Foundation;

SECTION 20. Tennessee Code Annotated, Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Juvenile Diabetes Research Foundation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall contain the logo or other appropriate design representative of the Juvenile Diabetes Research Foundation. The plates shall be designed in consultation with the executive officers of the Juvenile Diabetes Research Foundation.

(c) In accordance with § 55-4-215, the funds produced from the sale of the Juvenile Diabetes Research Foundation new specialty earmarked license plates shall be allocated to the Juvenile Diabetes Research Foundation, a leading global organization focused on type 1 diabetes research.

SECTION 21. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Theatre;

SECTION 22. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a Tennessee Theatre new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall be of an appropriate design representative of the Tennessee Theatre. The plates shall be designed in consultation with the Tennessee Theatre.

(c) The funds produced from the sale of the Tennessee Theatre new specialty earmarked license plates shall be allocated to the Tennessee Theatre, in accordance with § 55-4-215. Such funds shall be used exclusively to benefit and further the goals of the Tennessee Theatre.

SECTION 23. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Adoption;

SECTION 24. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c), to recognize and encourage the compassionate practice of adoption.

(b) The new specialty earmarked license plates provided for in this section shall be designed to recognize the benevolent aspects of adoption. Such plates shall be designed in consultation with distinguished adoption entities.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated equally to the Adoption Foundation of Tennessee, Inc. and Harmony Adoptions of Tennessee, Inc. in accordance with § 55-4-215. Such funds shall be used exclusively to facilitate adoption in Tennessee.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 25. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Northwest Tennessee Disaster Services;

SECTION 26. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

55-4-____.

(a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Northwest Tennessee Disaster Services new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed with the assistance of Northwest Tennessee Disaster Services.

(c) The funds produced from the sale of Northwest Tennessee Disaster Services new specialty earmarked license plates pursuant to § 55-4-215 shall be allocated to Northwest Tennessee Disaster Services for the sole purpose of disaster relief efforts.

SECTION 27. Tennessee Code Annotated, Section 55-4-248, is amended by adding the following as a new subsection (f):

(f) Upon the death of the spouse who was entitled to receive the Masons new specialty earmarked license plate, the widow shall be entitled to receive a Masons new specialty earmarked license plate for a motor vehicle owned or leased by such widow, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee

provided for in § 55-4-203. The application shall be accompanied by a copy of the death certificate.

SECTION 28. Tennessee Code Annotated, Section 55-4-374, is amended by adding the following new subsection:

(d) Notwithstanding § 55-4-201(h)(1), the Tennessee Federation of Garden Clubs new specialty earmarked license plates authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2014, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 29. Tennessee Code Annotated, Section 55-4-365, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding § 55-4-201(h)(1), the Autism Awareness new specialty earmarked license plates authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2014, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 30. Tennessee Code Annotated 55-4-358, is amended by adding the following language as a new subsection (d):

(d) Notwithstanding § 55-4-201(h)(1), the Tennessee Tennis new specialty earmarked license plate for a motor vehicle authorized by this section shall have one (1) year from the effective date of this act or until July 1, 2014, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 31. Tennessee Code Annotated, Section 55-4-368, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding § 55-4-201(h)(1), the "I RECYCLE" new specialty earmarked license plates authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2014, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 32. Tennessee Code Annotated, Section 55-4-360, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding § 55-4-201(h)(1), the East Tennessee Children's Hospital new specialty earmarked license plates authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2014, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 33. Tennessee Code Annotated, Section 55-4-361, is amended by adding the following language as a new subsection (d):

(d) Notwithstanding the time limitations of § 55-4-201(h)(1), the Almost Home Animal Rescue new specialty earmarked license plates authorized by this section shall have until July 1, 2014, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 34. Tennessee Code Annotated, 55-4-313(f), is amended by deleting the language "July 1, 2013," and by substituting instead the language "July 1, 2014,".

SECTION 35. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 36. Sections 28 through 34 of this act shall take effect upon becoming a law, the public welfare requiring it. All remaining sections of this act shall take effect July 1, 2013, the public welfare requiring it.